

MINUTE ITEM

This Calendar Item No. C36 was approved as Minute Item No. 36 by the California State Lands Commission by a vote of 3 to 0 at its 06/26/06 meeting.

CALENDAR ITEM

C36

A 80

06/26/06

S 40

PRC 8646

N. Lee

AMENDMENT OF LEASE

LESSEE:

The Regents of the University of California
c/o Dr. Frank Wyatt
UCSD, IGPP 0225
9500 Gilman Drive
La Jolla, CA 92093-0225

AREA, LAND TYPE, AND LOCATION:

1.02 acres, more or less, of school lands within the Northwest ¼ of Section 4, Township 11 South, Range 10 East, SBM, near Salton City, Imperial County.

AUTHORIZED USE:

Construction, use and maintenance of two laser strainmeter facilities and an unimproved dirt road as shown on Exhibit A.

LEASE TERM:

20 years, beginning December 8, 2005.

CONSIDERATION:

\$50 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Amend the lease to expand the lease area for construction of an overhead 3kW electrical power line. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. On December 8, 2005, the Commission authorized the issuance of a General Lease – Public Agency Use with the Regents of the University of California to construct two laser strainmeter facilities on State school lands within the Northwest ¼ of Section 4, Township 11 South, Range 10 East,

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SBM, near Salton City. Electricity is required for the operation of the laser strainmeters. The Lessee's initial plans for construction of an overhead electrical power line did not involve State school lands, but approval for the right of way could not be obtained from the California Department of Transportation (CT). The power service provider, Imperial Irrigation District (IID), with guidance from CT, determined an acceptable plan for the power line construction, which involves installing one pole within the existing lease area and another on additional school lands within the Northwest ¼ of Section 4. An overhead 3kW (100 Amps) electrical power line will run between the two poles to the nearest existing IID pole and will aerially cross two CT right-of-ways: State Highway 86 and a frontage road. The project will require an additional lease area of 2,846 square feet, or 0.07 acres.

2. For the portions of the power line that cross its rights-of-way, CT has confirmed that a permit will be issued once the Lessee obtains authorization from the Commission for the project. Therefore, the Regents of the University of California are now requesting an amendment to the lease to expand the lease area for construction of a proposed overhead 3kW electrical power line.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 3, New Construction of Small Structures; Title 14, California Code of Regulations, section 15303.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

4. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all state school lands and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

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APPROVALS REQUIRED:

California Department of Transportation

EXHIBIT:

A. Location and Site Map

PERMIT STREAMLINING ACT DEADLINE:

July 24, 2006

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

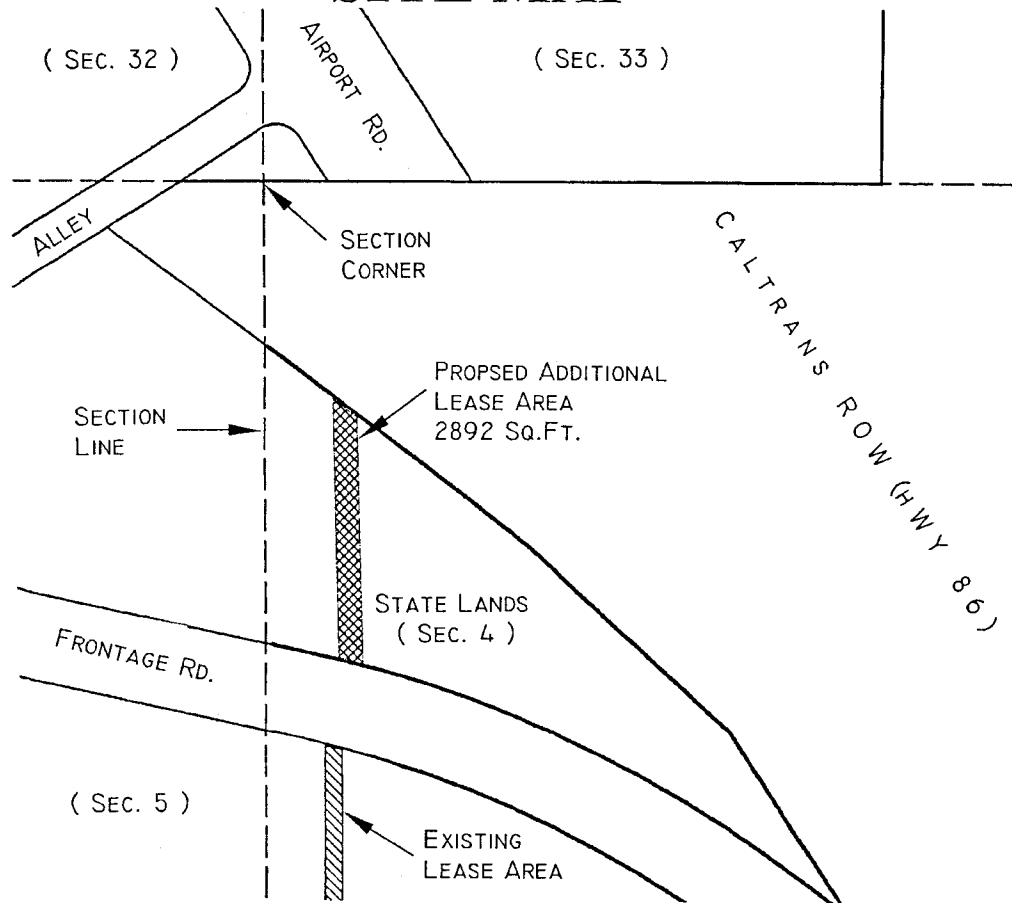
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15303.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 8646.2, A GENERAL LEASE – PUBLIC AGENCY USE, OF LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE JUNE 26, 2006, TO EXPAND THE LEASE AREA TO ALLOW THE CONSTRUCTION OF AN OVERHEAD 3KW ELECTRICAL POWER LINE; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

NO SCALE

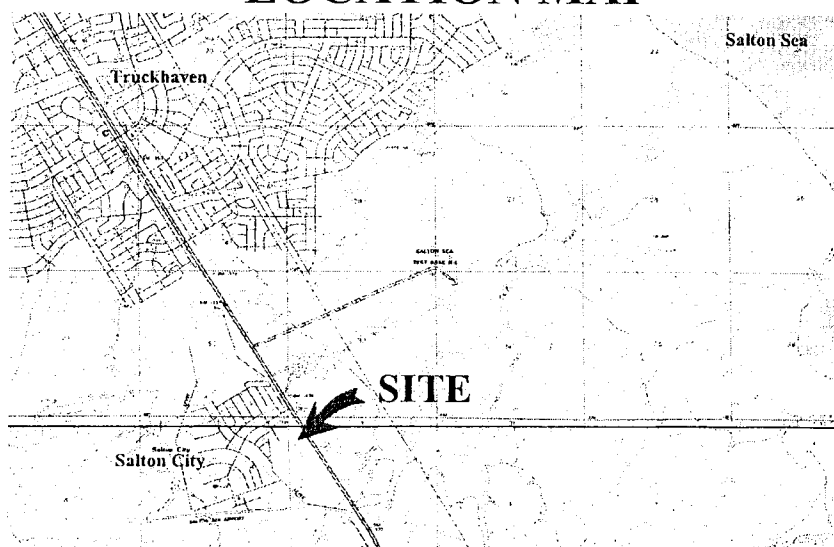
SITE MAP



UCSD Laser Strainmeter - Proposed School Lands Lease

NO SCALE

LOCATION MAP



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as a waiver or limitation of any state interest in the subject or any other property. MAP SOURCE: USGS QUAD

EXHIBIT A WP 8646

UCSD
General Lease
Public Agency Use
Imperial County



RAB 06/06

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